



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

SEP 10 1998

Ms. Sue Gamm
Chief Specialized Services Officer
Chicago Public Schools
Office of Specialized Services
1819 West Pershing Road
Chicago, Illinois 60609

Dear Ms. Gamm:

This is in response to your letter regarding an expedited hearing. Based on the information in your letter and subsequent conversations between you and members of my staff, it is our understanding that you are asking whether the hearing a local school district arranges as a result of a parents' request for a due process hearing to challenge a manifestation determination is an expedited hearing.

Section 615(k) addresses this issue and the Report language regarding the Individuals with Disabilities Education Act Amendments of 1997 further clarifies the statutory provision. Page 31 of the Report states:

The Committee also addresses parents' appeal options in section 615(k) of the bill. If parents disagree with a determination that the child's behavior was not a manifestation of the child's disability or with any decision regarding placement, the parents may request a hearing. In such a case, the State or LEA shall arrange for an expedited hearing. (S.Rep. No. 105-95, p.31(1997)).

I hope this information is helpful.

Sincerely,

Thomas Hehir
Director
Office of Special Education
Programs